



DEPARTMENT OF AUDITS AND ACCOUNTS

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April 11, 2007

The Honorable Bill Heath
State Senator
State Capitol, Room 109
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill (LC 21 9509)

Dear Senator Heath:

This bill would amend provisions relating to retirement benefits for appellate court judges under the Employees' Retirement System. Specifically, this bill would provide that retirement benefits would be calculated through a different method for persons who first become an appellate court judge on or after July 1, 2008 and for persons who again become an appellate court judge on or after such date, who do not have a vested right to be reinstated in the Employees' Retirement System. If this legislation is enacted, such members would become eligible for retirement benefits after 10 years of service. Such members would receive a retirement benefit equivalent to 66.66 percent, plus 1 percent for each year of creditable service over ten years, of the member's salary. However, no member shall receive more than 20 years of creditable service. Additionally, the member would not be entitled to receive benefits until he or she reaches 65 years of age. It should be noted that this bill also authorizes members who are serving as an appellate court judge on June 30, 2008 to elect to become subject to the provisions outlined in this bill. Such election must be made by October 30, 2008.

This is to certify that this is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Russell W. Hinton

State Auditor